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6 Attorney for Defendant -BENIYIHIA HEBBAR

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10 UNITED STATES DISTRICT COURT
11 DISTRICT OF NEVADA
12 * * *

13
14 UNITED STATES OF AMERICA,) 2:16-CR-00328-JCM-GWF
15)
16 Plaintiff,)
17)
18 v.)
19)
20 BENIYIHIA HEBBAR,)
21)
22 Defendant)
23 _____)

24 **STIPULATION AND ORDER TO CONTINUE SENTENCING HEARING**

25 IT IS HEREBY STIPULATED AND AGREED by and between DUSTIN R.
26 MARCELLO, ESQ. Counsel for Defendant BENIYIHIA HEBBAR and CRISTINA SILVA,
27 Assistant United States Attorney, that the Sentencing Hearing currently scheduled for December
28, 2017, at 9:00 a.m., be vacated and reset or a date and time convenient to the court, but no
earlier than 60 days.

29 This Stipulation is entered into for the following reasons:

30 1. Counsel for defendant has spoken to defendant and he has no objection to the request
31 of continuance.
32
33 2. Defendant is in custody in Pahrump.

1 3. Counsel has spoken to AUSA Cristina Silva and she does not oppose to the
2 continuance.

3 4. Counsel was just appointed on this case on Friday, December 22, 2017 and needs
4 additional time to prepare for sentencing.

5 6. Denial of this request for continuance could result in a miscarriage justice.

6 7. For all the above-stated reasons, the ends of justice would best be served by a
8 continuance of the Sentencing Hearing until a date and time convenient to the court.

9 This is the first request for continuance filed herein.

10 DATED: December 26, 2017

11 _____
12 /S/
13 DUSTIN R. MARCELLO, ESQ.
14 601 LAS VEGAS BOULEVARD, S
15 LAS VEGAS, NEVADA 89101
16 ATTORNEY FOR THE DEFENDANT
17 BENIYIHIA HEBBAR

18 _____
19 /S/
20 CRISTINA SILVA
21 ASSISTANT UNITED STATES ATTORNEY
22 501 LAS VEGAS BOULEVARD SOUTH. #1100
23 LAS VEGAS, NEVADA 89101
24 ATTORNEY FOR UNITED STATES OF
25 AMERICA

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,) 2:16-CR-00328-JCM-GWF
)
)
)
Plaintiff,)
)
)
v.)
)
)
BENIYIHIA HEBBAR,)
)
)
Defendant)
_____)

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds:

This Stipulation is entered into for the following reasons:

1. Counsel for defendant has spoken to defendant and he has no objection to the request of continuance.
2. Defendant is in custody in Pahrump.
3. Counsel has spoken to AUSA Cristina Silva and she does not oppose to the continuance.
4. Counsel was just appointed on this case on Friday, December 22, 2017 and needs additional time to prepare for sentencing.

1 5. Denial of this request for continuance could result in a miscarriage justice.
2 6. For all the above-stated reasons, the ends of justice would best be served by a
3 continuance of the Sentencing Hearing until a date and time convenient to the court.
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5 This is the first request for continuance filed herein.
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CONCLUSIONS OF LAW

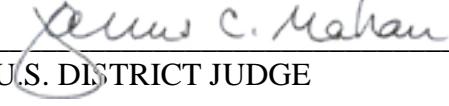
9 Denial of this request for continuance would deny the parties herein the opportunity
10 to effectively and thoroughly prepare for Sentencing Hearing.
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12 Additionally, denial of this request for continuance could result in a miscarriage of
13 justice.
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ORDER

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16 IT IS HEREBY ORDERED that the Sentencing Hearing currently scheduled for
17 December 28, 2017, at 9:00 a.m., be continued to the **28th day of February, 2018**
18 **at 10:30 a.m., in courtroom 6A.**
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20 DATED December 27, 2017.
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25 U.S. DISTRICT JUDGE
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